

FEBRUARY 2004 SETTLEMENT CONFERENCE LIST
UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

<u>Abbreviated Case</u> <u>Name</u>	<u>Civil No.</u>	<u>Complaint</u> <u>Filed</u>	<u>Conference</u> <u>Hour</u>
Doe v. Ensey, et al.	02cv444	3/20/02	9:00
Petrone v. Pike	02cv813	5/13/02	9:30
PA Comm. v. Travelers	03cv500	3/21/03	10:00
Guerrero v. Lock Haven	03cv508	3/24/03	10:30
Hershey v. Smith, et al.	03cv596	4/9/03	11:00

ORDER

January 5, 2004

1. Presettlement and Settlement Conferences. Settlement conferences in the above cases will be held on **February 25, 2004** at the times set forth above. Counsel who are expected to try the cases shall participate in the settlement conferences. **Counsel are directed to confer with each other, although not necessarily face to face, prior to the settlement conference and shall attempt in good faith to settle the case. Counsel for Plaintiff shall have the duty of scheduling the presettlement conference between counsel.**

2. Telephonic Conference. **The new chamber number for settlement conferences is (717)221-3986.** Counsel are encouraged to hold the conference by telephone. If all counsel agree that the settlement conference with the court may be had by telephone, the Court will hold the conference by telephone. Counsel for Plaintiff or Plaintiffs, as the case may be, shall initiate the telephone conference. Counsel for the Plaintiff or Plaintiffs shall notify the Clerk of Court in Williamsport at least one working day in advance of the scheduled settlement conference if the conference is to be had in person and not by telephone.

3. Election for Extended Settlement Conference. If all counsel in a case agree that a full morning or a full afternoon meeting with the Court in an attempt to settle the case is advisable, counsel may cancel the above scheduled conference in that case and request the Court to set aside time on another day for an extended settlement conference. At that conference, the Court will meet separately with counsel for each party and jointly with all counsel and will, if requested by all counsel, express an opinion as to whether a particular tendered settlement offer is reasonable. Normally extended settlement conferences will be held either on a Monday morning or Friday afternoon so as not to inconvenience out of the area counsel who may be engaged in an ongoing trial here.

4. Cancellation of Conference in Nonjury and Pro Se Cases. If a case is non-jury, counsel for Plaintiff or Plaintiffs, as the case may be, shall within 10 days file a motion to transfer the case for settlement conference purposes to another judge or to a magistrate judge and shall specify any preference with respect to the assignment which is acceptable to all counsel in the case. If a case involves a pro se party, counsel for the other party or parties may elect to cancel the settlement conference.

5. Cancellation of Conference by Agreement. In all other cases counsel for all, but not less than all, parties may elect to cancel the scheduled settlement conference in that case if they all are of the view that such a conference would be fruitless and a waste of time of counsel.

6. Cancellation of Conference with Certain Pending Motions. If in a case there is a pending case-dispositive motion which has not been decided by the 5th working day before the scheduled conference, any counsel in that case may elect to cancel the settlement conference scheduled in that case.

7. Filing of Elections to Cancel Settlement Conference. Any election to cancel a

settlement conference pursuant to the above shall specify the basis for such election and shall be effected by filing with the Court in Williamsport or by faxing the same to the Court the election at least 48 hours before the scheduled conference so as to permit the Court to rearrange its schedule and add other matters. Such election shall not render ineffective the above direction that counsel confer and attempt in good faith to settle the case. An election executed by one counsel setting forth that it is executed on behalf of all counsel will suffice. An election to cancel shall be effective upon its filing and no order with respect to the same is necessary or advisable.

8. Continuance of Settlement Conference. Any motion to continue a settlement conference shall be filed with the Court in Williamsport 5 days before the scheduled conference, unless the reason therefor arises on or after the cut-off date.

9. Fax Copies of Documents. If counsel file documents in a Clerk's Office other than in Williamsport, counsel shall, on the day of filing, fax copies of such documents, excluding exhibits, to the Clerk's Office in Williamsport for immediate delivery to the judge. The fax number of the Clerk's Office in Williamsport is 570-323-0636.

s/ John E. Jones III
John E. Jones III
United States District Judge